



United States Department of the Interior

FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES
MONTANA FIELD OFFICE
585 SHEPARD WAY
HELENA, MONTANA 59601
PHONE (406) 449-5225, FAX (406) 449-5339

M.11 (EPA) Libby and Troy Levee Rehabilitation Projects

July 08, 2008

Mr. Duc Nguyen
On-Scene Coordinator
Environmental Protection Agency
999 18th Street, Suite 300
Denver, Colorado 80202

Dear Mr. Nguyen:

I am writing in response to your June 26 letter concerning planned removal cleanups of the asbestos-contaminated creeks located in Libby and Troy, Montana. We are very pleased to be consulting with you to reduce the potential impacts of these projects to aquatic resources, and particularly to the federally threatened bull trout (*Salvelinus confluentus*).

Based upon your letter, we understand that work at the Granite Creek and Callahan Creek sites will not involve activities in the active stream channel and that the conservation measures and best management practices in the Corps of Engineer's biological evaluation will be implemented. While your letter did not provide an effects analysis or Endangered Species Act (ESA) Section 7 determination for bull trout, it strongly suggests a 'no effect' determination which would conclude your consultation responsibilities. If that is incorrect or circumstances change such that activities will occur in the active channel, please let us know at your earliest opportunity so that we can provide further consultation on those projects.

The circumstances regarding the work planned at Flower Creek are somewhat different in that no prior biological assessment has been completed for work at that site and your letter indicates a level of in-stream activity. Therefore, we would suggest that a biological assessment be written for that project to determine the appropriate effects determination. The format and information that should be included in that assessment could be similar to the information provided in the other Corps of Engineer's biological evaluations.

Again, we appreciate the opportunity to work with you and hope that our assistance is helpful to your projects. If you have further questions, please contact Lowell Whitney (406-758-6871) or Tim Bodurtha (406-758-6882).

Sincerely,

R. Mark Wilson
Field Supervisor

Copy to: USFWS, Kalispell, MT (Attn: Tim Bodurtha)